

COMMISSION ON COMMON OWNERSHIP COMMUNITIES  
 Minutes of the Monthly Meeting  
 1401 Rockville Pike, 5<sup>th</sup> Floor, Rockville, MD 20850  
**Wednesday, November 6, 2019**

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:02pm by Chairman Mark Fine.

**Commissioners present:** [9] BURROWS, ETHIER, FINE, GARDNER, GELFOUND, GIZA, SMITH, STEINBACH, VINEY

**Commissioners absent:** [4] Malamud, Myo Khin, Perper, Young

**Staff present:** Tim Goetzinger, DHCA Chief Financial Officer; Walter Wilson, Associate County Attorney; Mark Anders, Staff.

**Guests:** Rand Fishbein, JoEllen Bilanin [Tanterra], Linda Moore [Hampshire Greens], Jacob Wilson [Kennebec Mews]

1. **Approval of Minutes:** Commissioner Smith moved to approve the minutes of the October 2, 2019 monthly meeting as amended. The motion was approved by unanimous consent.
2. **Community Forum:** In response to guests' questions, Commissioners opined that an association's financial reports [balance sheet, income & expense, and redacted delinquency reports] should be available to members upon written request. Financial reports may be posted on an association's website. Reserve funds should not be commingled with operating funds.
3. **Submission of disputes for Commission consideration:**

**Jurisdiction - Default cases:** None

**Jurisdiction - Contested cases:**

#2019-059, Hsu v. Normandy Hill HOA – Commissioner Gardner moved to accept jurisdiction. After discussion, the motion was approved by unanimous consent.

#2020-011, Brown v. The Tiers at Silver Spring Condominium – Commissioner Viney moved to accept jurisdiction. After discussion, the motion was approved by majority vote with Commissioner Gelfound objecting, Commissioner Steinbach recused.
4. **Decisions & Orders Issued:** Staff gave a summary of the following cases and their decisions -
 

#2019-070 Washington v. The Silverton Condominium – The complaint alleged the association incorrectly found the unit owner responsible to pay for significant damages to common elements of the building. The panel found in favor of the Complainant.
5. **Decisions & Orders on Appeal:**

#2018-040, Dillin et al, v. The Willoughby of Chevy Chase and

#2018-061, Nadri v. The Willoughby of Chevy Chase (consolidated)

#2019-019, Weinrich v. Tanterra HOA

6. **County Attorney's report:** Decision & Order(s) under review – Altayework Selassie v. Hilltop Condo.
7. **DHCA report:** Tim Goetzinger presented the statistical report for October 2019. There are 1,069 associations presently registered. Six citations were sent to associations in FY2019: 5 for failure to comply with a Decision & Order, 1 for failure to comply with an automatic stay. Funds are available in Commission's operating budget for outreach and educational initiatives. Issues in coc's generating the most complaints: architectural rules, authority to levy fees, parking, rules enforcement, meetings, & elections.
8. **Chairman's report:**  
 Commissioner Gardner moved to change the January Commission meeting from January 1 to January 8, 2020. Motion approved unanimously.  
 Commissioner Ethier moved to change the December meeting to Wednesday, December 11, 2019. Motion approved unanimously. [Due to scheduling conflicts, Chair later moved the meeting to December 10]  
 Mark Fine & Rand Fishbein presented our Board Training at the W. Virginia Organization of Home Owners Associations.
9. **Committee reports:**
  - a. Education Committee [Members: Commissioners Fine, Gelfound, Giza, MyoKhin, Perper, & Steinbach (Chair)] --- n/a
  - b. Legislative Committee [Members: Commissioners Fine, Gardner (Chair), Viney, & Young] --- Commissioner Gardner took the commissioners through proposed amendments to Chapter 10B. All commissioners are requested to send their comments and suggestions to Commissioner Gardner by December 3. The next committee meeting will be held on December 3, 2019.
  - c. IT/Process & Procedures Committee [Members: Commissioners Burrows & Ethier (Co-Chair), Fine, & Malamud] --- n/a
11. **Old business:** None
12. **New business:** Commissioner Viney asked when the Commission would address requests from coc's for guidance on how to conduct "work sessions". Mr. Fine asked the Process & Procedures Committee to look into the matter and present their findings and suggestions to the Commission at the January 8, 2020 meeting.
13. **Meeting adjourned** at 8:42pm

**Next meeting: Wednesday, DECEMBER 11, 2019 at 7:00pm**

Submitted by Kathy Viney,  
Recording Secretary